

STEPHANIE M. HINDS (CABN 154284)  
 United States Attorney  
 MICHELLE LO (NYRN 4325163)  
 Chief, Civil Division  
 SAVITH IYENGAR (CABN 268342)  
 Assistant United States Attorney

450 Golden Gate Avenue, Box 36055  
 San Francisco, California 94102-3495  
 Telephone: (415) 436-7200  
 Fax: (415) 436-6748  
 savith.iyengar@usdoj.gov

Attorneys for the United States of America

UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA  
 OAKLAND DIVISION

UNITED STATES OF AMERICA,	)	CASE NO. 4:19-cv-04281 KAW
	)	
Plaintiff,	)	<b>STATUS REPORT AND ORDER</b>
	)	
v.	)	
	)	
BTC-e, a/k/a CANTON BUSINESS CORP.,	)	
	)	
and	)	
	)	
ALEXANDER VINNIK,	)	
	)	
Defendants.	)	

Plaintiff United States of America (the “United States”) respectfully submits this status report and proposed order pursuant to the Court’s Order dated January 18, 2022. ECF No. 28.

On November 18, 2021, the United States completed service abroad on defendants BTC-e, a/k/a Canton Business Corp., and Alexander Vinnik (collectively, “Defendants”) under Federal Rule of Civil Procedure 4(f)(1) and the Convention on the Service Abroad of Judicial and Extrajudicial Documents in Civil or Commercial Matters (“Hague Service Convention”).

The United States previously certified to this Court on August 5, 2021 that the United States had translated all required documents into French and transmitted its request for service abroad and all required documents to the French Central Authority pursuant to the Hague Service Convention. *See* ECF No. 24. The United States thereafter inquired with the French Central Authority regarding the

1 status of the request, and was notified on October 14, 2021 that the request “was sent to the relevant  
2 French jurisdiction last week (on 10-06-2021),” and that the United States could expect to receive more  
3 information regarding service before the end of the year. On January 12, 2022, following the United  
4 States’ further inquiry about the status of the request, the French Central Authority notified the United  
5 States that the French Central Authority had not yet received an update regarding service from the  
6 relevant French jurisdiction. Accordingly, the United States respectfully requested that this Court allow  
7 the United States to file another status report by April 18, 2022 regarding its efforts to serve Defendants,  
8 and this Court granted the United States’ request. ECF No. 28.

9 On January 27, 2022, the United States received proofs of service from the French Central  
10 Authority certifying that service had been completed on Defendants on November 18, 2021, by  
11 personally handing all required documents directly to Defendant Alexander Vinnik. The documents  
12 served on Defendant Vinnik included English and French versions of the (i) complaint, (ii) civil cover  
13 sheet, (iii) summons, (iv) Clerk’s notice regarding assignment to this Court, (v) standing orders for this  
14 Court, (vi) standing order for all judges of this District, (vii) ECF registration information, (viii) notice  
15 of this lawsuit and request to waive service of summons, (ix) waiver of the services of summons, and (x)  
16 notice of assignment to a Magistrate Judge with election form.

17 The United States thereafter translated the French Central Authority’s proofs of service into  
18 English. The United States has attached true and correct copies of the English-translated proofs of  
19 service to this status report as **Exhibit A**, and true and correct copies of the original French proofs of  
20 service as **Exhibit B**, with minor redactions consistent with Federal Rule of Civil Procedure 5.2. A true  
21 and correct copy of the translator’s certificate of translation attesting to the truth and accuracy of its  
22 translation of the proofs of service from French into English is attached hereto as **Exhibit C**.

23 Accordingly, on November 18, 2021, service was completed on Defendants under Federal Rule  
24 of Civil Procedure 4(f)(1) and the Hague Service Convention. Pursuant to Rule 12(a)(1)(A)(i),  
25 Defendants were required to serve an answer within twenty-one (21) days after being served with the  
26 summons and complaint, *i.e.*, on or before December 9, 2021. To date, Defendants have failed to  
27 answer or otherwise respond to the complaint. Accordingly, the United States respectfully requests that  
28 the Court allow the United States to file another status report in thirty (30) days, or by May 18, 2022,

1 regarding whether Defendants have answered or otherwise responded to the complaint. If Defendants  
2 have not responded to the complaint by that date, the United States intends to seek entry of default  
3 against any non-responding Defendant pursuant to Federal Rule of Civil Procedure 55.  
4

5 Respectfully submitted,

6 STEPHANIE M. HINDS  
7 Acting United States Attorney

8 Dated: April 18, 2022

By: /s/ Savith Iyengar  
9 SAVITH IYENGAR  
Assistant United States Attorney  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**ORDER**

IT IS HEREBY ORDERED that plaintiff United States of America shall file a Status Report by May 18, 2022.

SO ORDERED.

Dated: April 22, 2022

  
\_\_\_\_\_  
HON. KANDIS A. WESTMORE  
United States Magistrate Judge